

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Status and Amendments

Claims 14-21, 23-25, 27, 33 and 34 were pending in this application when last examined. Claims 14-21 and 27, 33 and 34 are withdrawn as non-elected subject matter. Claims 23-25 were examined on the merits.

Claims 23, 27, 33 and 34 are now cancelled, thus, claims 22, 23, and 26-34 have been cancelled without prejudice or disclaimer thereto. Applicants reserve the right to file a continuation or divisional application on any cancelled subject matter.

Withdrawn claim 14 is currently amended to feature a method for preparing the polycarboxylic composition according to claim 24. The Office Action indicates that claim 24 has been allowed. Claim 24 is currently amended as to form only. No new matter has been added.

Claim Rejections - 35 USC §112

At page 3, the Office Action rejects claim 23 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and with the enablement requirement. Applicants respectfully traverse the rejection.

Although applicants do not necessarily agree with the rejection, in order to advance prosecution of the application, claim 23 has been canceled, thus rendering the rejection moot. Accordingly, applicants request reconsideration and withdrawal of the rejection.

Claim rejoinder

The Office Action indicates that claims 24 and 25 are allowed. Currently amended claim 14, and dependent claims 15-21, are directed to methods for preparing the polycarboxylic composition according to claim 24. Because all of the nonelected and withdrawn method claims 14-21 depends from or otherwise requires all of the features of allowed claim 24, nonelected claims 14-21 should be rejoined per U.S. rejoinder practice (See M.P.E.P. § 821.04). Accordingly, applicants respectfully request withdrawal of the restriction requirement and rejoinder of claims 14-21 for examination on the merits.

Conclusion

Having addressed all the outstanding issues, the amendment is believed to be fully responsive. Applicants have canceled rejected claim 23 and claims 24-25 are allowed. Thus, claims 24-25 should now be in condition for allowance. Also, Applicants respectfully request rejoinder and allowance of the non-elected claims 14-21.

It is believed that the application is in condition for allowance and notice to that effect is hereby requested. If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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